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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

KEVIN WASHINGTON,

Plaintiff,

v.

MATTHEW BRENT GOETTSCHKE,

Defendant.

Cause No. CV-20-2-BU-BMM-KLD

**DEFENDANT'S
UNOPPOSED MOTION TO SEAL**

Defendant Matthew Brent Goettsche, through his undersigned counsel, respectfully moves this Court to seal Defendant's Opposition to Plaintiff's Motion to Allow Receiver to Sell the Assets of CryptoWatt ("the Opposition to Plaintiff's Motion") and the accompanying Declaration of Josh Kalish, pursuant to Federal Rule of Civil Procedure 5.2, the District of Montana Local Rules of Procedure 5.2(b), and in accordance with the CryptoWatt Operating Agreement, because the Opposition to Plaintiff's Motion and Declaration of Josh Kalish contain

Defendant's Motion to Seal

confidential, non-public business information.

Counsel for the Plaintiff, Kris M. McLean, has been contacted and states he has **no objection** to this motion to seal.

Section 9.01 of the CryptoWatt Operating Agreement, titled “Confidentiality,” says in relevant part:

Each Member shall maintain the confidentiality of information that is, to the knowledge of such Member, non-public information regarding (i) the Company, or (ii) the business of the Company or its Affiliates, unless consented to in writing by the Managing Member, and except as may be required by Applicable Law.

Dkt. No. 9-1. CryptoWatt maintains the security and confidentiality of its business information, which could be used by its competitors to harm CryptoWatt’s business. The Opposition to Plaintiff’s Motion and Declaration of Josh Kalish contain a description of sensitive business information that is not public and should not be public at this time. If members of the public gained access to this sensitive information, it would have the potential to interfere with CryptoWatt’s business operations. Accordingly, the Opposition to Plaintiff’s Motion and Declaration of Josh Kalish should be sealed.

Pursuant to Local Rule 5.2(a), the undersigned hereby certifies that sealing is appropriate to the best of his knowledge, information, and belief, formed after an inquiry reasonable under the circumstances and with due regard to the public’s right of access.

RESPECTFULLY SUBMITTED this 18th day of March, 2020.

SMITH & STEPHENS, P.C.

by: /s/John E. Smith

John E. Smith

Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of January 2020, a copy of the foregoing document was served on the following persons by the following means:

1, 2 CM-ECF
 Hand Delivery
 Mail
 Overnight Delivery Service
 Fax
 E-Mail

1. CLERK, UNITED STATES DISTRICT COURT
2. Kris McLean, Counsel for Plaintiff Washington

By: /s/ John E. Smith
John E. Smith
SMITH & STEPHENS, P.C.
Attorney for Defendant